IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE: HARLON BROOKS and ALFREDDIE BROOKS	§ § § § §	 CASE NO. 09-38232-H4-11 (Chapter 11)
AIRPORT RESTAURANT MANAGEMENT CORPORATION,	§ § § §	 CASE NO. 10-40115-H5-7 (Chapter 7)
ALFREDDIE, INC.,	§ § § §	 CASE NO. -10-40116-H5-7 (Chapter 7)
BROOKS & BROOKS, INC.,	§ § § §	 CASE NO. 10-40117-H1-7 (Chapter 7)
BUCKSHOT CONSTRUCTION COMPANY D/B/A HARLON'S BBQ HOUSE,	§ § § §	 CASE NO. 10-40118-H5-7 (Chapter 7)
HARLON'S - UTMB, LP, Debtors	§ § § §	 CASE NO. 10-40119-H5-7 (Chapter 7)
HARLON'S BARBEQUE BAR & GRILL DFW-I, LP,	§ § § §	 CASE NO. 10-40121-H1-7 (Chapter 7)
HARLON'S BAR-B-Q AT OLD SPANISH TRAIL, LP,	§ § § §	 CASE NO. 10-40122-H3-7 (Chapter 7)

TRUSTEE'S EMERGENCY MOTION FOR JOINT ADMINISTRATION OF CASES

NOTICE PURSUANT TO LOCAL RULE 9013

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED.

IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND M AY DECIDE THE MOTION AT THE HEARING. REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

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NOTICE IS FURTHER PROVIDED THAT THE TRUSTEE HAS REQUESTED EXPEDITED CONSIDERATION OF THIS MOTION.

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Comes now W. Steve Smith, Chapter 7 Trustee ("Trustee") and files this Emergency Motion for Joint Administration of Cases (the "Motion") and would respectfully show unto this Court the following:

I.

PROCEDURAL HISTORY

1. On October 30, 2009, Harlon and Alfreddie Brooks (the "Debtors") filed their voluntary petition under Chapter 13 of the United States Bankruptcy Code (the "Code") thereby commencing Case No. 09-38232-H5-11 (the "Brooks Case"), which was converted to Chapter 11 on April 6, 2010.

2. At the hearing on confirmation of the proposed plan of the Debtors in the Brooks Case, the Court granted an oral Motion to Appoint a Chapter 11 Trustee (the "Motion to Appoint"). Thereafter, the Court entered its July 23, 2010 Order Approving Appointment of Chapter 11 Trustee thereby approving the appointment of W. Steve Smith (the "Trustee") in that Case.

3. Subsequently, the Trustee filed his Motion to Convert Case to Chapter 7 seeking to convert the Brooks Case. Simultaneously therewith, the Trustee filed voluntary Chapter 7 petitions for related entities identified hereinbelow, thereby commencing the following cases: Brooks & Brooks, Inc., Airport Restaurant Management Corporation, Alfreddie, Inc., Buckshot Construction Co. d/b/a Harlon's BBQ House, Harlon's Bar-B-Q at Old Spanish Trail, LP, Harlon's UTMB, LP and Harlon's Barbeque Bar & Grill DFW-I, LP (collectively referred to hereinafter as the "Entities" or the "Related Entity Cases"). Trustee has been appointed as Trustee in each of the Related Entity Cases.

4. Some of these Related Entities hold assets (both real and personal), some hold no assets but are necessary to contemplated litigation, some have potential assets, some are no longer in business and some are still operating. With respect to the ones that hold assets, are necessary to contemplated litigation, are operating or otherwise have value or potential value, there are creditors very vigilantly pursuing their claims against them. Due to this fact and the fact that there is some overlapping co-ownership of assets, the Trustee believes that with both the Debtors and all of these Related Entity Cases in Chapter 7 and jointly administered by the Trustee with the necessary ones continuing to operate, a fair liquidation to resolve the claims of the creditors and a successful rehabilitation of the Debtors can be accomplished.

II.

RELIEF REQUESTED

5. In this connection, the Trustee requests entry of an order directing that the Brooks Case and the Related Entity Cases be jointly administered under a single case number and caption.

6. The Trustee seeks the joint administration of these Chapter 7 cases for procedural purposes only, pursuant to Federal Rule of Bankruptcy Procedure 1015(b). Rule 1015(b) provides in relevant part that when "a joint petition or two or more petitions are pending in the same court by or against…a partnership and one or more of its general partners, or . . . two or more general partners . . . or a debtor and an affiliate, the court may order a joint administration of the estates." Fed. R. Bankr. Proc. 1015(b); *see also* Bankruptcy Local Rule 1015. The Debtors are "affiliates" as that term is defined in section 101(2) of the Bankruptcy Code. Accordingly, this Court is authorized to grant the relief requested herein.

7. Joint administration will obviate the need for duplicative notices, motions, applications, and orders. Joint administration will also save considerable time and expense for the Trustee, creditors, and other parties-in-interest.

8. Additionally, the Court will be relieved of the burden of issuing duplicative orders and maintaining redundant files. The same applies to the Clerk's office charged to enter and maintain the Court's files.

9. Accordingly, Trustee submits that joint administration of the Brooks Case and the Related Entities' Cases is in the best interests as of the creditors and all other parties-in-interest.

10. The Trustee has provided notice to all parties required by Bankruptcy Local Rule 1015(c). The Trustee believes that the notice provided for herein is fair and adequate, and no other notice is necessary.

11. No previous motion for the relief sought herein has been made to this or any other Court.

WHEREFORE, PREMISES CONSIDERED, Trustee respectfully requests entry of the attached proposal order, granting the relief requested herein, and for such other and further relief to which the Trustee may be entitled, either at law or in equity.

DATED the 3rd day of November, 2010.

Respectfully submitted,

By: */s/ Blanche D. Smith*

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ATTORNEYS FOR TRUSTEE

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document is being served on November 4th, 2010, via regular first class mail, postage prepaid or, if those parties are ECF users registered in this case, they will receive electronic notice on November 3, 2010.

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/s/ Blanche D. Smith
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